#### STATE OF CALIFORNIA

## WATER RESOURCES CONTROL BOARD DIVISION OF DRINKING WATER

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Linns Valley School Water System
Water System No. 1502182

Water System No. 1502183

Tammy Pritchard, Principal

Linns Valley School

P. O. Box 399

Glenville, CA 93226

#### **CERTIFIED MAIL**

## CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1502163

February 2016 and March 2016

CITATION NO. 03-19-16C-032

**Issued on May 19, 2016** 

#### STATEMENT OF FACTS

Linns Valley School Water System (hereinafter Water System) is classified as a non-transient, non-community Water System and serves a population of approximately 106 persons through four service connections.

The Water System operates under the authority of a domestic water supply permit (No.

E-97) issued on July 17, 1984, by the Kern County Environmental Health Services

Department. The Water System is currently under regulatory jurisdiction of the State

Water Resources Control Board (hereinafter State Board), Division of Drinking Water.

The State Board will issue a new domestic water supply permit to the Water System as workload allows.

The Southern California Drinking Water Field Operations Branch, Division of Drinking Water (hereinafter Division), State Water Resources Control Board, is responsible for enforcing the Safe Drinking Water Act and regulations promulgated pursuant thereto. The Division of Drinking Water was transferred from the California Department of Public Health to the State Water Resources Control Board, effective July 1, 2014.

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Board, acting by and through its Division of Drinking Water and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to Linns Valley School Water System (mailing address: P.O. Box 399, Glennville, CA 93226) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsection (b)(2).

• The Water System previously failed the total coliform maximum contaminant level (MCL) in September 2015 and received Citation No. 03-19-16C-007, on January 20, 2016, from the State Board.

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• The Water System collects one (1) routine distribution system bacteriological sample per month in accordance with its approved Bacteriological Sample Siting Plan.

- Five (5) routine bacteriological quality samples collected on February 8, 2016,
   from the distribution system, tested positive for total coliform bacteria.
- Linns Valley School Water System failed the total coliform maximum contaminant level (MCL) for February 2016 [Section 64426.1(b)(2), Authorities].
- One (1) repeat sample collected on February 10, 2016, from the storage tank showed the presence of total coliform bacteria with a result of 94 MPN/100 mL, when analyzed by the Most Probable Number (MPN) method.
- One (1) repeat sample collected on February 10, 2016, from Well 01, for compliance with the Ground Water Rule, as well as the total coliform rule, showed the presence of total coliform bacteria with a result of 3.1 MPN/100 mL, when analyzed by the MPN method.
- On February 12, 2016, Elia Estasy, Associate Sanitary Engineer with the State Board, conducted an inspection of the Linns Valley School Water System. Mr. Estasy described a turbine vent attached to the storage tank, as a probable cause of the total coliform positive samples, and recommended replacing the turbine vent with a mushroom-type vent with a screen. Mr. Estasy also recommended installation of an overflow pipe to the storage tank.
- On February 12, 2016, the well, storage tank, and distribution system were disinfected and flushed.
- Five (5) out of six (6) bacteriological quality samples collected on February 16,
   2016, from the distribution system, and one (1) sample collected on the same
   day from the storage tank, showed the presence of total coliform bacteria.

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- One (1) bacteriological quality sample collected on February 16, 2016, from Well 01, tested negative for total coliform bacteria.
- On February 26, 2016, the Water System informed the State Board by email of the improvements made to the storage tank. It was reported that an inlet pipe, an overflow pipe with a screen, and a mushroom type vent had been installed. The removal of the turbine vent was reported to be still in progress. The Water System was then directed by the State Board to provide photographs of the improvements and to disinfect and flush the storage tank and distribution system, and to collect bacteriological quality samples from the storage tank and five routine locations in the distribution system.
- All five (5) bacteriological quality samples collected on March 7, 2016, from
  the distribution system, tested positive for total coliform bacteria. One (1)
  sample collected from Well 01, on the same day, showed the presence of total
  coliform bacteria with a result of 4.2 MPN/100 mL, when analyzed by the
  MPN method.
- On March 9, 2016, a conference call between the Water System and the State Board took place. Items discussed were; issuance of a Do Not Drink Notice, connection with nearby Glennville Mutual Water Company, and emergency funding from the State of California.
- Due to widespread coliform contamination, on March 9, 2016, the State Board issued a Do Not Drink Notice to the Water System. The Water System needed two consecutive rounds of total coliform negative samples to cancel the Do Not Drink notice.
- On March 11, 2016, the well, tank, and distribution system were disinfected and flushed.
- On March 15, 2016, seven (7) bacteriological quality samples were collected, one (1) from Well 01, one (1) from the storage tank, and five (5) from the

distribution system. All seven (7) samples tested negative for total coliform bacteria.

- On March 23, 2016, a second round bacteriological quality samples was scheduled for collection. During the collection of the samples, Scott Moore, designated certified distribution operator of the Water System, reported to the State Board that the well had been pulled out to replace the rusted galvanized steel pump column, to be replaced with a new PVC pipe. The Water System did not notify Mr. Moore or the State Board about the repairs to the well.
- All five (5) bacteriological quality samples collected on March 23, 2016, from the distribution system, tested positive for total coliform bacteria.
- One (1) bacteriological quality sample collected on March 24, 2016, from Well
   01, tested negative for total coliform bacteria.
- Two (2) out of five (5) bacteriological quality samples collected on March 29,
   2016, from the distribution system, tested positive for total coliform bacteria
   One (1) sample collected on the same day from the storage tank, tested negative for total coliform bacteria.
- None of the bacteriological quality samples collected in February or March 2016, from the distribution system or the system well, tested positive for *E.coli* bacteria.
- On April 8, 2016, a conference call took place between the Water System and the State Board. Items discussed were routine sampling for April 2016, the intertie project with Glennville Mutual Water Company, and funding status of the project.
- On April 11, 2016, seven (7) bacteriological quality samples were collected, one (1) from Well 01, one (1) from the storage tank, and five (5) routine samples from the distribution system. All seven (7) samples tested negative for total coliform bacteria.

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- Seven (7) bacteriological quality samples were collected on April 18, 2016, form the same sites and all six (6) samples collected from the distribution system and storage tank showed the presence of total coliform bacteria, with results ranging from 19 MPN/100 mL to 36 MPN/100 mL, when analyzed by the MPN method. One (1) bacteriological quality sample collected on the same day from Well 01, tested negative for total coliform bacteria.
- None of the bacteriological quality samples collected in April 2016, from the distribution system or the system well, tested positive for E.coli bacteria.
- On April 21, 2016, a conference call took place between the Water System and the State Board. Items discussed were cleaning and disinfection of the storage tank and routine sampling for May 2016, and items related to the intertie project with Glennville Mutual Water Company.
- One routine distribution system sample collected on May 11, 2016, tested negative for total coliform bacteria.
- The Do Not Drink Notice issued on March 9, 2016 continues to be in effect as
  of writing of this citation. The Water System's request for emergency funding,
  to connect to Glennville Mutual Water Company, is under consideration by the
  State Board.
- Results of all (source and distribution) bacteriological samples collected from January 2015 to May 2016 are summarized in Attachment A.

#### **AUTHORITIES**

#### Section 116577 of the CHSC, states in relevant part:

- "(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:
  - (1) Preparing, issuing, and monitoring compliance with, an order or citation.
  - (2) Preparing, and issuing public notification
- (b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section,"...

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Section 116650 of the CHSC, states in relevant part:

- "(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
  - (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation."

#### Section 116655 of the CHSC, states in relevant part:

- "(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:
  - (1) Directing compliance forthwith.
  - (2) Directing compliance in accordance with a time schedule set by the State Board.
  - (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
  - (1) That the existing plant, works, or system be repaired, altered, or added to.
  - (2) That purification or treatment works be installed.
  - (3) That the source of the water supply be changed.
  - (4) That no additional service connection be made to the system.
  - (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board."

# California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64424 establishes the repeat sampling requirements, and states in relevant part:

- "(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (a)(1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.
- (1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.
- (2) If the water supplier is unable to collect the samples within the 24-hour time period specified in subsection (a) or deliver the samples to the laboratory within the 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the State Board within 24 hours. The State Board will then determine how much time the supplier will have to collect the repeat samples.
- (b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream unless there is no upstream and/or downstream service connection.
- (c) If one or more samples in the repeat sample set is total-coliform positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in 64426.1 has been exceeded and notifies the State Board."

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

- "(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
  - (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
  - (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
  - (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
  - (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

#### **DETERMINATIONS**

Based upon the above Statement of Facts and Authorities, the State Board has determined that the Linns Valley School Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for the months of February and March 2016, when

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more than one sample during the two above-mentioned months, tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

#### <u>DIRECTIVES</u>

Linns Valley School Water System is hereby directed to take the following actions:

- 1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426(b)(2), of Title 22, California Code of Regulations.
- 2. The Water System shall reimburse the State Board, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the State Board) of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Sections 116577(a)(1-2) and 116577(b).

#### **FURTHER ENFORCEMENT ACTIONS**

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the State Board to: issue additional citations with assessment of penalties if a public water system continues to fail or correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the State Board; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

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#### PARTIES BOUND

This citation shall apply to and be binding upon Linns Valley School Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

#### **SEVERABILITY**

The directives of this citation are severable, and Linns Valley School Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

#### **CIVIL PENALTIES**

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty in an amount not to exceed \$1000 (one thousand dollars) per day as of the date of violation of any provision of this Citation.

Jaswinder S. Dhaliwal, P.E.

Senior Sanitary Engineer

Drinking Water Field Operations Branch

Certified Mail No. 7015 1520 0000 4433 1976

#### **ATTACHMENT**

Attachment A:

Summary of Bacteriological Samples Collected from January 2015 - May 2016

CC:

Kern County Environmental Health Services Department (w/o attachment) Scott Moore, Seaco Technologies, Inc., Certified Distribution Operator (via email)

JSD/dc

# Attachment A

# Linns Valley School

1502163

Distribution System Freq: 1/M

Canala Data	The	Logation	TON	F Cat	F.Coll Ton.	CIO	1/101-11-	Comment
Sample Date	Tlme	Location			F Coli Type	Cl2	violation	Comment
1/5/2015	11:00		Α	Α	Routine			
2/2/2015	13:06		Α	Α	Routine			
3/2/2015	10:12		Α	Α	Routine			
4/1/2015	10:05	254 White River R	Α	Α	Routine			
5/5/2015	11:56	117 Dunlap Rd. H	Α	Α	Routine			
6/1/2015	11:23	Classroom #1	Α	Α	Routine	0.07		
7/1/2015	10:34	Classroom #5	Α	Α	Routine	0.04		
8/3/2015	14:10	230 White River R	P	Α	Routine	0.02		
8/5/2015	11:55	230 White River R	Α	Α	Repeat	1.67		
8/5/2015	12:00	Girl's Bathroom	Α	Α	Repeat	1.13		
8/5/2015	12:06	Boy's Bathroom	Α	Α	Repeat	1.26		
9/9/2015	12:20	117 Dunlap Rd.	Р	Α	Routine	0.03		
9/9/2015	12:30	230 White River R	Р	Α	Routine	0.05		
9/9/2015	12:37	254 White River R	Р	Α	Routine	0.2	MCL	Citation 03-19-16C-007 issued
9/9/2015	12:49	Classroom #1	Р	Α	Routine	0.14		
9/11/2015	8:58	254 White River R	Α	Α	Repeat	0.05		
9/11/2015	9:07	Girl's Bathroom	Α	Α	Repeat	0.01		
9/11/2015	9:11	Boy's Bathroom	Α	Α	Repeat	0.06		
10/5/2015	10:50	117 Dunlap Rd.	Α	Α	Routine	2.2		
10/5/2015	10:57	Classroom #1	Α	Α	Routine	2.16		
10/5/2015	11:04	Classroom #5	Α	Α	Routine	2.18		
10/5/2015	11:21	230 White River	Α	Α	Routine	2.2		
10/5/2015	11:27	254 White River	Α	Α	Routine	2.19		
11/2/2015	10:41	Classroom #1	Р	Α	Routine	0		
11/4/2015	14:10	Classroom #1	Α	Α	Repeat	1.75		
11/4/2015	14:30	230 White River R	Α	Α	Repeat	1.48		
11/4/2015	14:42	254 White River R	Α	Α	Repeat	1.67		
11/4/2015	14:55	117 Dunlap	Α	Α	Repeat	1.87		
12/8/2015	11:05	Classroom #1 (SF	Α	Α	Routine	2.18		
12/8/2015	11:09	Classroom #5 (SF	Α	Α	Routine	2.14		
12/8/2015	11:28	230 White River (	Α	Α	Routine	2		
12/8/2015	11:37	254 White River (	Α	Α	Routine	2.04		
12/8/2015	11:56	117 Dunlap Rd. (H	Α	Α	Routine	2.11		
1/7/2016	10:34	Classroom #1	Α	Α	Routine	2.04		
2/8/2016	11:20	Classroom #1 (SF	P	Α	Routine			

Sample Date	Time	Location	T Coli	E Coli	F Coll Type	CI2	Violation	Comment
2/8/2016	11:24	Classroom #5 (SF	Р	Α	Routine	MCL		Cit #03-19-16C-032 issued.
2/8/2016	11:33	254 White River (	Р	Α	Routine			
2/8/2016	11:40	230 White River (	Р	Α	Routine			
2/8/2016	11:48	117 Dunlap (HB	Р	Α	Routine			
2/10/2016	12:12	Storage Tank (SP)	94	Α	Repeat			
2/16/2016	11:22	Storage Tank (SP)	1.0	<1	Repeat			
2/16/2016	11:28	Kitchen (SF)	<1	<1	Repeat			
2/16/2016	11:35	Classroom #1 (SF	1.0	<1	Repeat			
2/16/2016	11:40	Classroom #5 (SF	2.0	<1	Repeat			
2/16/2016	11:51	230 White River (	1.0	<1	Repeat			
2/16/2016	11:58	254 White River (	2.0	<1	Repeat			
2/16/2016	12:04	117 Dunlap (HB)	1.0	<1	Repeat			
3/7/2016	11:56	Classroom #1 (SF	Р	Α	Other			
3/7/2016	12:08	Classroom #5 (SF	P	Α	Other		MCL	Citation #03-19-16C-032 issued
3/7/2016	12:23	254 White River (	P	Α	Other			100000
3/7/2016	12:30	230 White River (	P	Α	Other			
3/7/2016	12:36	117 Dunlap (HB)	Р	Α	Other			
3/15/2016	11:37	Storage Tank (HB)	<1	<1	Other			
3/15/2016	11:44	Classroom #1 (SF	<1	<1	Other			
3/15/2016	11:47	Classroom #5 (SF	<1	<1	Other			
3/15/2016	11:54	117 Dunlap (HB)	<1	<1	Other			
3/15/2016	12:08	254 White River (	<1	<1	Other			
3/15/2016	12:12	230 White River (	<1	<1	Other			
3/23/2016	9:50	Classroom #5 (SF	Р	Α	Other			
3/23/2016	9:52	Classroom #1 (SF	Р	Α	Other			
3/23/2016	10:00	117 Duniap (HB)	Р	Α	Other			
3/23/2016	10:10	254 White River	Р	Α	Other			
3/23/2016	10:14	230 White River (	Р	Α	Other			
3/29/2016	9:14	Classroom #1 (SF	Α	Α	Other			
3/29/2016	9:18	Classroom #5 (SF	Α	Α	Other			
3/29/2016	9:21	Storage Tank (HB)	Α	Α	Routine			
3/29/2016	9:31	254 White River (	Α	Α	Other			
3/29/2016	9:36	230 White River (	Р	Α	Other			
3/29/2016	9:42	117 Dunlap (HB)	P	Α	Other			
4/11/2016	9:55	Classroom #1 (SF	<1	<1	Other			
4/11/2016	9:58	Classroom #5	<1	<1	Other			
4/11/2016	10:02	Storage Tank (HB)	<1	0	Other			
4/11/2016	10:24	254 White River	<1	<1	Other			

Sample Date	Time	Location	T Coli	E Coli	F Coli Type	Cl2	Violation	Comment
4/11/2016	10:29	230 White River	<1	<1	Other			
4/11/2016	10:37	117 Dunlap	<1	<1	Other			
4/18/2016	9:28	Classroom #1 (SF	27	<1	Other			
4/18/2016	9:34	Classroom #5 (SF	21	<1	Other			
4/18/2016	9:42	Storage Tank (HB)	24	<1	Other			
4/18/2016	9:57	254 White River (	36	<1	Other			
4/18/2016	10:04	230 White River (	27	<1	Other			
4/18/2016	10:12	117 Dunlap (HB)	19	<1.1	Other			
5/11/2016	10:10	117 Dunlap	Α	Α	Routine			

Linns Valley School

1502163 Source Monitoring Freq:

Sample Date	Time	Source	T Coli	E Coli	F Coli	Violation	Comment
8/5/2015	12:23	Well 01/Repeat & GWR	Α	Α	· · · · · · · · · · · · · · · · · · ·		
9/11/2015	9:27	Well 01 / Repeat & GWR	Α	Α			
11/4/2015	14:05	Well 01 / Repeat & GWR	Α	Α			
12/8/2015	11:15	Well 001 / Routine	Α	Α			
2/2/2016	11:12	Well 001/ Other	<1	<1			
2/10/2016	12:04	Well 001/Repeat	3.1	Α			GWR & TCR Repeat
3/7/2016	12:00	Well 001/Other	4.2	<1			GWR
3/15/2016	11:35	Well 001/Other	<1	<1			
3/24/2016	11:00	Well 001/Routine	Α	Α			
4/11/2016	10:05	Well #01	<1	<1			
4/18/2016	9:40	Well #01 (SP)	<1	<1			